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**KATHERINE SWEENEY BELL  
MARION COUNTY IN RECORDER**

**FEE: \$ 35.00**

**PAGES: 18**

**By: ER**

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**Cross-Reference:**

Plat Covenants and Restrictions Section I, Instrument #880058055

Plat Covenants and Restrictions Section II, Instrument #890003231

Plat Covenants and Restrictions Section III, Instrument #930011023

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**ARCHITECTURAL DESIGN GUIDELINES**

AFFIDAVIT OF CORPORATE RESOLUTION  
of

ECHO POINTE HOMEOWNERS ASSOCIATION, INC.

COMES NOW the Echo Pointe Homeowners Association Inc., by its Board of Directors,  
on this 8<sup>th</sup> day of March, 2022 and states as follows:

**WITNESSETH THAT:**

**WHEREAS**, the residential community in Marion County, Indiana, commonly known as Echo Pointe was established upon the recording of certain Plats with the Office of the Recorder for Marion County, Indiana; and

**WHEREAS**, a Plat for Echo Pointe Section I with Plat Covenants and Restrictions was recorded in the office of the Marion County Recorder on June 16, 1988, as **Instrument No. 880058055**, covering lots 1 to 17 and 97 to 112; and

**WHEREAS**, a Plat for Echo Pointe Section II with Plat Covenants and Restrictions was recorded in the office of the Marion County Recorder on January 10, 1989, as **Instrument No. 890003231**, covering lots 18 to 54 and 118 to 126; and

**WHEREAS**, a Plat for Echo Pointe Section III with Plat Covenants and Restrictions was recorded in the office of the Marion County Recorder on January 26, 1993, as **Instrument No. 930011023**, covering lots 55 to 96 and 113 to 117; and

**WHEREAS**, Echo Pointe operated as an unincorporated association until September 23, 2021 when Echo Pointe Homeowners Association, Inc. (hereinafter “Echo Pointe”) was incorporated as a nonprofit corporation pursuant to Articles of Incorporation (hereinafter “Articles”) filed with, and approved by, the Indiana Secretary of State; and

**WHEREAS**, Echo Pointe’s Board of Directors adopted a Code of By-Laws for Echo Pointe (hereinafter “By-Laws”); and

**WHEREAS**, Section 8.3(E) of Article 8 of the By-Laws for Echo Pointe, states one of the duties of the Board of Directors is “To make, amend and enforce rules and regulations and guidelines governing the Lots, streets, easements and common areas”; and

**WHEREAS**, the Board deems it necessary to adopt and publish Architectural Design Guidelines for Owners in Echo Pointe Sections I, II and III to follow to protect and preserve the value, harmony, integrity and desirability of the properties within Echo Pointe; and

**WHEREAS**, pursuant to the authority in the Articles, Plat Covenants and Restrictions and By-Laws, the Board of Directors hereby adopts the following Architectural Design Guidelines (hereinafter “Guidelines”) to be applicable to all properties, including the individual Lots, that are part of the real estate known as Echo Pointe Sections I, II and III and as set forth in the Plat Covenants and Restrictions for Sections I, II, and III (hereinafter “Plat Covenants”), said Guidelines setting forth additional restrictions, standards and guidelines for the Real Estate and the individual Lots therein, all designed to protect each individual Owner’s use and enjoyment of their Lot and to preserve the value, integrity and desirability of the real properties within the subdivision, including each individual Owner’s Lot, by protecting the health, safety and welfare of the Owners within the Echo Pointe subdivision; and

**BE IT RESOLVED**, pursuant to the provisions set forth in the Articles, Declaration and By-Laws, the Board hereby adopts and certifies that the following is a full and true copy of the Corporate Resolution setting forth the Architectural Guidelines for Echo Pointe in accordance with the Plat Covenants and By-Laws and all applicable laws, and was duly signed by the President and Secretary of the corporation certifying that a majority of the members of the Board of Directors approved said Corporate Resolution and that the proceedings and the Corporate Resolution adopted thereby are in conformity with and do not in any respect contravene or conflict with any other provision of applicable Indiana law, the Articles, the By-Laws, or the Declaration, and that said Corporate Resolution and the Guidelines set forth therein shall become effective, applicable and binding upon each Lot and Lot Owner in the Echo Pointe Sections I, II, and III immediately upon recording of the same in the Office of the Marion County Recorder and the distribution of the same to all Owners in the Echo Pointe subdivision. These Guidelines may only be overruled, cancelled, amended or modified by the Board or by a majority of the Members entitled to vote thereon in a regular or special meeting of Echo Pointe by a majority of the Members entitled to vote thereon.

IN WITNESS WHEREOF, I, the undersigned, do hereby execute this Affidavit of Corporate Resolution for Echo Pointe Homeowners Association Inc. and swear, affirm or certify, under penalties of perjury, the truth of the facts herein stated, this 8<sup>th</sup> day of March, 2022.

ECHO POINTE HOMEOWNERS  
ASSOCIATION, INC.

By: Teresa I Schroeder  
(Signature of President)

Teresa I. Schroeder  
(Printed Name of President)

ATTEST:

[Signature]  
(Signature of Secretary)

Jennifer Borcharding matchett  
(Printed Name of Secretary)

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Hamilton )

Before me a Notary Public in and for said County and State personally appeared Teresa Schroeder (President) and Jennifer Matchett (Secretary), President and Secretary, respectively of Echo Pointe Homeowners Association Inc., who acknowledged execution of the foregoing Affidavit of Corporate Resolution for Echo Pointe Homeowners Association Inc. and who, having been duly sworn, stated the representations contained herein are true.

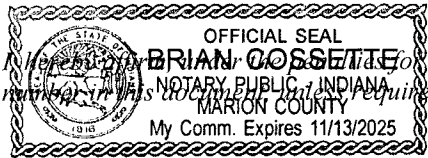
Witness my hand and Notarial Seal this 8 day of March, 2022.

11/13/2025  
Commission Expiration Date

Marion  
County of Residence

[Signature]  
Notary Public

Brian Cossette  
Printed Name



*perjury, that I have taken reasonable care to redact each Social Security number in this document, as required by law. Robert D. Roache, II*

This document prepared by:

Robert D. Roache, II  
ROACHE & ASSOCIATES  
581 S. Rangeline Rd., Suite A1  
Carmel, IN 46032-2149  
(317) 688-7082

## ARCHITECTURAL DESIGN GUIDELINES

for

ECHO POINTE HOMEOWNERS ASSOCIATION, INC.

### PREAMBLE:

All improvements must be approved by the Architectural Design and Environmental Control Committee (hereinafter the ACC) of the Echo Pointe Homeowners Association, Inc. (EPHOA) prior to commencement of construction. These guidelines are intended to serve for the life of the project and accordingly may be amended by the ACC, by and through the Board of Directors, as necessary. The following includes information which is required as part of any submission for ACC approval for improvement at Echo Pointe.

Prior to the commencement of construction, it is the responsibility of the homeowner to review pertinent local ordinances to ensure the improvement is in conformity there with and obtain all applicable licenses and permits. The ACC will make no inquiries as to whether the homeowner has complied with said ordinances or obtained the appropriate permits and will not be responsible for any noncompliance. Approvals by the ACC represents only what are to be believed in conformity with the Echo Point Plat Covenants for Sections I, II, and III and is not to be construed as following existing local ordinances.

For additional information regarding local ordinances, contact The Metropolitan Development Commission at 317-327-5053.

### GENERAL NOTES:

1. All improvements and installations are subject to review and written approval by the ACC prior to the start of the improvement and installation. Corrective actions, including removal of the improvement, may be required and paid for by the Homeowner for improvements and installations performed without the written approval of the ACC.
2. Other existing noncompliant installations will not be considered as justification for new installations that do not comply with these ACC guidelines.
3. Existing noncompliant installations are required to be brought into compliance if expanded, modified, or replaced.

4. Permits might be required for your project. Please check with local agencies as needed.
5. All existing improvements are grandfathered as if they were approved

**AUTHORITY:**

1. Each section of Echo Pointe has Plat Covenants and Restrictions for Echo Pointe to which each lot owner is bound. These Covenants and Restrictions were established and recorded with the Marion County Recorder's Office by developer R.N. Thompson prior to commencement of the development of each section in Echo Pointe.
2. Paragraph 10 of the Plat Covenants and Restrictions in each section states: "No building, fence, walls, or other structure shall be erected, placed, and altered on any building lot in this Subdivision until the building plans, specifications and plot plan showing the location of such structures has been approved as to the conformity and harmony of the external design with existing structure herein and as to the building with respect to topography and finished ground elevations by the ACC."
3. The ACC assumed the pertinent responsibilities from developer R.N. Thompson effective May 1, 1994.

**APPLICATION PROCESS:**

1. Requests for architectural approval of building improvements must include building plans, specifications and plot plans, which shall be submitted in writing per instructions on form found on website, [www.echopointe.com](http://www.echopointe.com).
2. The ACC will acknowledge receipt of the request for approval within 5 business days. If an owner has not received an acknowledgement of his application, he should contact the ACC. The ACC will approve or disapprove in writing any written request within 20 business days from the date of acknowledgement. If an owner has not received an approval or denial within 20 business days, then the request will be deemed DENIED.
3. Written requests pertaining to buildings, fences, walls, or other structures will be evaluated as to whether it is in conformity and harmony with the external design of existing structures in Echo Pointe and cannot be in violation of the Plat Covenants.

## APPEAL PROCESS:

Any written request, which has been denied, may be reconsidered by the ACC upon a written request by the owner for reconsideration. The request for reconsideration must specifically set forth how the external designs in the original request are in conformity and harmony with existing structure. Any written request which has been denied twice may be appealed to the Board of Directors of EPHOA.

## TRUCKS, COMMERCIAL VEHICLES, BOATS, ETC.

No truck which exceeds  $\frac{3}{4}$  ton weight load, campers, box trucks, RVs, box trailers, utility trailers, livestock trailers, boats, personal watercrafts (PWC), boat/PWC trailers, recreational vehicles, and commercial vehicles shall be parked on a street or lot in the Subdivision. PWC's and their trailers may be parked on a lot or street for not more than 3 days in the spring and 3 days in the fall. The intent is to prepare for a trip, returning to storage, cleaning, and general maintenance. In other words, may not be parked on a permanent or semi-permanent basis.

## FENCING

Fencing shall conform to Marion County ordinances. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations six (6') feet above the street, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points twenty-five (25') feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sight line limitations shall apply to any lot within ten (10') feet from the intersection of a street line with the edge of a driveway pavement. No tree shall be permitted to remain within such instances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight line.

The following are examples of fences that will generally be approved by the ACC:

- |                        |                                      |
|------------------------|--------------------------------------|
| A. Wood Board on Board | D. Wrought Iron                      |
| B. Cape Cod            | E. Black Vinyl Clad Chain Link       |
| C. Picket              | F. Aluminum to Simulate Wrought Iron |

All fences must be approved in writing by the ACC prior to installation. The ACC reserves the right to inspect the fence any time before, during or after construction to ensure compliance with the approved fencing plan. (See the specific sections for swimming pools and game courts for different requirements for fences.)

A. HEIGHT:

1. Fencing may not extend more than six feet in height.
2. Post caps may extend a maximum of six inches above the overall height of the fence.

B. MATERIALS:

1. Fences shall be constructed of wood, wrought iron, aluminum designed to simulate wrought iron or vinyl clad. Columns may be brick or stone masonry construction.
2. Construction fencing and silt fences are permitted only during site work or alterations when required by the authority having jurisdiction or to provide safety and shall be removed immediately upon conclusion of the work.

C. LOCATION:

1. Fences shall not extend nearer to the front of the house than the rear foundation line. A bump out in the fence, not exceeding six feet laterally may be permitted to enclose a door accessing the rear yard.
2. Fences are permitted along Pennycroft Road but must not be any higher than 42", must be black and must not present a visual obstruction.
3. The best or most aesthetically pleasing side of the fence shall face outward. Fence support rails shall not face outward.
4. Fences shall be located as to not cause ponding or block drainage flow in swales and drainage easement. Fences installed on an easements may have to be removed at owner's expense upon demand by easement holder.

CONSTRUCTION: All fencing shall be constructed of quality materials. All fencing shall be properly braced with all posts either concreted into ground or placed at a depth whereby the fence will be secure and will not move.

MAINTENANCE: All fences must be maintained in a reasonable fashion. Any warped boards shall be replaced on a timely basis. Any painted fences shall be maintained whereby the fence always has a pleasing appearance. Maintenance includes mowing around and under (if applicable) fence. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice.

BRACING: All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the ACC.

KENNELS AND DOGHOUSES:

All kennels and dog houses must be approved by the ACC prior to construction in terms of both location and materials. Dog kennels and houses should be placed in a



location whereby they are not eyesores or nuisances to surrounding homeowners. Each kennel should be screened with shrubs or trees as approved by the ACC depending on the individual request. All dog houses must be constructed of quality materials and be in conformity and harmony with existing structures and maintained properly.

#### MINI-BARNS AND ACCESSORY STRUCTURES:

Requests for the approval of mini-barns and other accessory structure must be approved in writing by the ACC prior to construction and must be appropriately screened from view and with the following guidelines:

- A. Location must be approved.
- B. Must be constructed with quality materials.
- C. Must be elevated for drainage, where necessary.
- D. Site plan must be approved.
- E. Colors must be same as primary residence. Wall veneer, doors and windows shall be made of the same materials, color and style used on the residence.
- F. Roof style, pitch and shingles shall match those used on the residence.
- G. No metal, plastic or vinyl structure will be approved.
- H. Not more than one (1) outbuilding or accessory structure may be constructed on any lot or property.
- I. The size cannot exceed 8 ft. wide X 12 ft. long x 8 ft. tall.

#### ANTENNAS: (TV, Radio and Satellite)

Requests for the attachment of a TV or radio antenna to the exterior of the home or placement of satellite dishes on a given lot will be denied as not conforming. Satellite dishes thirty inches (30") or less in diameter are acceptable. Antennas may be located inside the attics of residences without ACC approval.

- A. The ACC requests all satellite dishes be permanently mounted in a location that is the least visible from the street directly in front of the lot, but which will not result in a substantial degradation of reception. The specific order of location priority is:
  - 1. In the rear of the lot
  - 2. On the sides of the lot
  - 3. If necessary, for reception, satellite dishes installed on the ground shall be appropriately landscaped to conceal the dish

- B. Existing satellite dishes will be grandfathered. However, if an existing satellite dish is replaced, its location must conform to these guidelines.

#### DRAINAGE:

- A. No construction may obstruct the natural drainage or impose additional drainage on adjacent properties.
- B. Any modification adding more than 200 SF of hard surface (i.e., roofs or solid paving) shall be attended by a drainage plan indicating how the additional drainage runoff is to be managed.
- C. Any proposed modifications affecting municipal drainage easements must be approved by the authority having jurisdiction.

#### DRIVEWAYS:

- A. Driveways are to be concrete. A permit must be obtained from the City of Lawrence prior to construction.
- B. Extension, widening or rerouting of existing driveways must be submitted for approval.
- C. Driveways shall be well maintained and free of potholes.

#### DECKS, PATIOS, SEATING AND GATHERING AREAS:

Requests for decks may be approved subject to the following requirements:

- A. The deck shall be constructed with quality materials.
- B. Final configuration of the deck must be approved prior to the commencement of constructions.
- C. Hard surface areas for patios, decks, seating, gathering or similar purposes may not be located forward of the front foundation line.
- D. Existing structures will be grandfathered as approved. Any modification to existing structures must be approved by the ACC.
- E. Front porches located immediately adjacent to the front wall of the residence in their long dimension and directly accessible from the front door of the residence are permitted.

## PORCHES, SCREENED-IN PORCHES, ROOM AND GARAGE ADDITIONS:

Requests for screened in porches and room additions may be approved subject to the following guidelines:

- A. The addition shall be constructed with quality materials.
- B. The roofline is in conformity with existing structure.
- C. Roof material, siding, and trim shall be in conformity and harmony with the primary residence.
- D. All detailed construction plans must be approved prior to the commencement of construction.

## GAZEBOS:

Requests for the installation of gazebos may be approved subject to the following guidelines:

- A. Structure shall be built with quality materials.
- B. Final placement of the structure must be approved by the ACC.

## POOLS:

Above ground pools are not permitted, except as stated herein. Requests for in-ground pools may be submitted for approval by the ACC. A detailed development plan must be provided to the ACC prior to the commencement of construction. No alteration to the existing grade may be done without the approval of the City of Lawrence (City Engineer).

- A. In ground swimming pools and hot tubs shall be located such that it will not extend nearer to the front of the house than the rear foundation line. (See City of Lawrence requirements.) The application shall include one of the following required safety barriers:
  1. Power operated pool cover certified by the manufacturer to complying ASTM F1346-91. The standard requires that the pool cover support a load of 485 pounds.
  2. Perimeter fencing of exactly five feet with a self-closing locking gate and in compliance with the Indiana Administrative Code - Swimming Pool Code 675 IAC 20-4-27 Safety Features
- B. Fences installed to enclose pools or patios may extend to six (6') feet in height, but must be located within six (6') feet of the pavement edge at all points with

the exception of lots 123, 124 and 125. Pool fencing is strictly regulated by local ordinance which should be considered before construction.

- C. Power filtration and pumping equipment supporting a permanent pool may not be located directly opposite a window or outdoor living area of an adjacent resident. Equipment must be screened by landscaping extending to the full height of the equipment to provide aesthetic and acoustic screening.
- D. A swimming pool submission requesting approval must include the design of the retaining wall(s), if required.
- E. Abandoned or unused swimming pools or hot tubs not occupied for periods of thirty (30) days or more, shall be equipped with a cover adequate to prevent persons, children or animals from danger or harm.
- F. Permanent above ground pools are not permitted. Temporary above ground pools having a depth of equal to or less than 24 inches are permitted and do not require approval by the ACC. Temporary pools must be stored out of view from neighboring lots and the front of the home when not in use and are permitted seasonally between May 1 and October 1 and may not be visible from the front of the house.

#### POOL HOUSES:

Requests for pool houses with changing areas may be approved, except when there is a pre-existing storage shed/mini-barn. Pool equipment storage areas generally will be approved as long as the structure is solely used for the storage of chemicals, pumps, heaters and other pool related maintenance supplies. All structures are subject to the following guidelines.

- A. Subject to approved location.
- B. Subject to being constructed with quality materials.
- C. No metal structure will be approved.
- D. All detailed construction plans must be approved prior to the commencement of construction.
- E. Colors must be the same as primary residence.

#### BASKETBALL GOALS/COURTS:

Requests for the installation basketball courts may be approved subject to the following guidelines:

#### BASKETBALL COURTS:

- A. The final location of the courts shall be approved by the ACC.
- B. Generally, courts will not be approved in excess of twenty-five feet x 25 feet.

C. The court may consist of concrete and lighting will be permitted.

#### BASKETBALL GOALS:

- A. Type: The backboard should be constructed of the following types of materials:
  - 1. Clear Plexiglas
  - 2. Acrylic
  - 3. Graphite
- B. No wooden backboards will be approved.
- C. Location: No basketball rim/board shall be attached to the primary residence. Final location of the goal/board shall be approved by the ACC prior to the installation. Basketball goals may be located along the driveway but may not be located to facilitate play from the street per City of Lawrence.
- D. Game courts may not extend beyond the rear foundation line or closer than 20 ft. to the lot line or the required minimum setback, whichever is greater.
- E. Effective landscape screening shall be provided between the court and all lot lines from which the court is visible.
- F. The court shall not be used except between the hours of 6:00am and 11:00pm local time.

PLAYGROUNDS: Requests for installation of playground structures may be approved by the ACC subject to:

- A. Children's play equipment such as sandboxes, trampolines, swing and slide sets, and playhouses shall require approval by the ACC. Every reasonable effort must be made to screen or shield such equipment from view from the street or adjacent properties.
- B. Play equipment may not be located forward of the rear foundation line of the residence or less than five (5') feet from the property line.
- C. Play equipment must be maintained in good repair including rust removal, paint and repair or replacement of damaged components (i.e., wood rot, torn roofs or covers).
- D. Every effort should be made to remove any out of service play equipment.
- E. Location must be approved.
- F. Must be constructed of quality materials.
- G. All requests regarding the size and number of the playground equipment should be appropriate and complimentary for residential use versus industrial size and excessive quantities for a business.

## LIGHTS:

The title owner at all times shall keep the dusk to dawn lighting in good repair with working light bulb.

## MAILBOXES:

- A. The title owner shall be responsible to keep the mailbox in good repair and shall not alter without ACC approval. All replacements should conform to original.
- B. The ACC has established a design, material and paint specification for mailboxes which shall be standard for all mailboxes in this subdivision. See [estesmailbox.com](http://estesmailbox.com) and [echopointe.com](http://echopointe.com) for structure, materials, and color of paint. Non-standard mailboxes will not be allowed in accordance with this document.
- C. Temporary decorations, other than seasonal or temporary holiday décor, no other stenciling, advertisements, or signage may be placed on the standard mailbox or its pole per the USPS Residential Mailbox Standards.
- D. Information is posted on the Echo Pointe subdivision website for the company (See B. above) that provides the approved standard mailbox and wooden post for the Echo Pointe subdivision.
- E. Required Mailbox Maintenance: At all times, a mailbox must be in good working order and appearance, and meet the following specifications:
  - 1. Be appropriately painted, not dented, rusting, or peeling.
  - 2. Door and flags operational, not bent or off hinges, and in good repair.
  - 3. Address lettering to be legible and in good repair.
  - 4. Post must be straight and not leaning more than 10 degrees in any direction.
  - 5. Post cannot be cracked (defined as a crack being more than ½" wide) bent or broken.
  - 6. Attached newspaper boxes must be straight, not bent, and painted without identifying another company, with only one newspaper box allowed to each mailbox.
  - 7. A mailbox must be appropriately secured to the pole without using tape, rope, cords, or other temporary supports.
- F. Inspections: As allowed by the Covenants and as part of the routine inspection process, the Echo Pointe Homeowner's Association (EPHOA) may send notices to homeowners directing them to repair or replace their existing mailbox or post.
- G. Mailbox Vendor: The mailbox vendor offering Board approved mailbox, post and repair services will be identified on the EPHOA website, [www.echopointe.com](http://www.echopointe.com).

#### HOME MATERIALS AND COLOR:

- A. The design and color scheme of proposed improvements must be in harmony with the general surrounding of the lot and with adjacent buildings and structures.
- B. Exterior building materials are limited to the following:
  - 1. Wall veneer shall be natural or composite wood, cement board siding, stone, or brick, and also stone and brick veneer.
  - 2. Roofing shall be asphalt, slate or genuine cedar shake shingles.
  - 3. Awnings are to be fabricated of vinyl or fabric. Aluminum awnings are not permitted. Awnings are not allowed on any elevation facing a street within the Echo Point Subdivision, excluding lots 123, 124 and 125.
- C. Colors:
  - 1. Colors of homes and accessory structures are to be subdued, neutral tones or white, compatible and consistent with other homes in the subdivision. Brick may be painted.
  - 2. Trim shall be no more than two colors. Front door can be complimentary color or in harmony with above with 3<sup>rd</sup> additional accent color.
  - 3. Submittal to ACC for approval of colors must include 3-inch x 3-inch minimum real paint samples; photo reproductions are not acceptable.

#### FLAG POLES:

Requests for flag poles may be approved subject to the pole being made of quality materials firmly secured into the ground and not exceeding twenty feet in height. Prior to the commencement of construction, it is the responsibility of the homeowner to review pertinent local ordinances to ensure the improvement is in conformity therewith and obtain all applicable licenses and permits. The ACC will make no inquiries as to whether the homeowner has complied with said ordinances or obtained the appropriate permits. Approvals by the ACC represents only what are to be believed in conformity with the Echo Pointe Plat Covenants, Sections I, II and III and is not to be construed as following existing local ordinances.

#### TREES AND LANDSCAPING:

- A. Dead trees, limbs and brush must be removed within 60 days of date of notice from EPHOA. Any pruning debris must be removed within 14 days of pruning.
- B. Landscape improvements including decks, patios, terraces, retaining walls, walks, cabanas, outdoor cooking facilities, permanent/fixed fire pits and raised flower beds must be approved by the ACC.
- C. All unpaved open areas of the lot must be sodded or seeded, maintained in healthy condition.
- D. Landscaping may not restrict the view at vehicular intersections or at the intersection of resident drives, sidewalks, and roadways. All vegetation that grows to a size or height to create such an obstruction at an intersection, resident drives, sidewalks, and roadways must be trimmed, removed, or replaced.

#### MISCELLANEOUS:

- A. Handicapped Accessibility - the ACC may make exceptions to the guidelines to facilitate access for the disabled.
  - 1. The application for accessibility improvements must include the justification for the improvement.
  - 2. Accommodations for accessibility visible from adjacent properties are to be removed when no longer required.
- B. Exterior lighting and security cameras shall not be directed in such a manner as to create annoyance to adjacent properties.
- C. Holiday decorations must be removed with 30 days after the holiday has passed.
- D. Streets in the development are to be kept clean of dirt and deleterious debris at all times.
  - 1. During the performance of alterations care shall be taken to contain construction material and debris to the construction site. Any tracking onto the street is to be removed daily. Any damage caused to common property (i.e., broken curbs or pavement) shall be restored to original condition at the property owner's expense.
  - 2. Silt fences are to be provided and storm inlets protected with filtering material (i.e., straw bales or silt fencing) during site alterations.



- E. Trash and recycling containers must be stored in a location not visible from any street. Containers may be placed at the curb the night before scheduled collection and must be removed by the end of the collection day.
- F. Compost bins must be stored in a location not visible from any street and screened in such a manner that it is not visible to the occupants of the other lots.
- G. Exterior clothes lines are not permitted.
- H. External air conditioning units that extend out of the house/window will not be permitted.
- I. Renewal energy sources -
  - 1. Solar panels and photo voltaic cells may be mounted to the roof; must compliment roof and have prior written approval by the ACC.
  - 2. Wind driving energy sources are not permitted.
- J. Renters - EPHOA shall be notified by an owner prior to owner renting his house.

#### VIOLATIONS OF THE COVENANTS:

1. Any homeowner of Echo Pointe may report any violation of any covenant or guideline that pertains to the subject matter for which the ACC has the authority to consider and approve or deny. The violation report shall be submitted in a signed writing setting forth in detail the alleged violation. The ACC will then investigate the alleged violation to determine whether there is reason to believe that a violation exists.
2. If the ACC has reason to believe a violation of the pertinent Covenants exists, the alleged violator will be informed of the violation report and requested to conform to the Covenants.
3. The alleged violator may submit to the ACC a written explanation as to why the violation report is in error. This written explanation will be considered by the ACC. If a violation of the Covenants is still believed to exist, a second written notice will be sent to the alleged violator demanding compliance with the Covenants within a specific and reasonable amount of time.
4. Thereafter, if the alleged violator does not abide by the Covenants, corrective action may be taken to enforce the Covenants.

The Board of Directors and ACC reserves the right to adopt additional Architectural Design Guidelines and to amend these guidelines from time to time.

*[If a court having proper jurisdiction holds a particular provision of the Architectural Design Guidelines unenforceable or invalid for any reason, that provision shall be modified only to the extent necessary in the opinion of such court to make it enforceable and valid and the remainder of the Architectural Design Guidelines shall be deemed valid and enforceable and shall be enforced to the greatest extent possible under the then existing law. In the event the court determines such modification is not possible, the provision shall be deemed severable and deleted, and all other provisions of the Architectural Design Guidelines shall remain unchanged and in full force and effect.]*

*[End of Architectural Design Guidelines]*